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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

EDDIE L. PITTS right
Plaintiff,
v.
C. DAVIS, et al.,
Defendants.

No. 2:12-CV-00823

ORDER

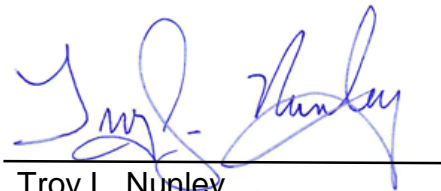
This matter is before the Court pursuant to Plaintiff Eddie L. Pitts’ (“Plaintiff”) request that this Court reconsider Plaintiff’s objections (ECF No. 118) to the Magistrate Judge’s findings and recommendations (“Findings and Recommendations”) (ECF No. 117). (Plaintiff’s Ex Parte Communication, ECF No. 122.) On September 12, 2014, Magistrate Judge Allison Claire filed the Findings and Recommendations granting in part and denying in part a number of motions submitted by Plaintiff. (ECF No. 117.) Parties were given twenty-one days to file objections to the Findings and Recommendations. (ECF No. 117.) Plaintiff filed objections on October 9, 2014. (ECF No. 118.) This Court considered those objections and issued an order adopting the Findings and Recommendations on November 6, 2014. (ECF No. 121.) On November 10, 2014, Plaintiff filed additional objections to the Findings and Recommendations. (ECF No. 122.)

Plaintiff’s submission of additional objections to the Findings and Recommendations is

1 untimely and Plaintiff fails to seek leave from the Court for its late submission.¹ (ECF No. 122.)
2 Therefore, the Court is not required to consider these objections. Failure to file objections within
3 the specified time may waive the to appeal the District Court's order. *Martinez v. Ylst*, 951 F.2d
4 1153 (9th Cir. 1991). However, in an abundance of caution, the Court has reviewed Plaintiff's
5 further objections and finds no cause to vacate its order adopting the Findings and
6 Recommendations. For these reasons, the Court denies Plaintiff's Ex Parte Communication
7 seeking reconsideration of the Magistrate Judge's Findings and Recommendations. (ECF No.
8 122.)

9 IT IS SO ORDERED.

10 Dated: November 18, 2014

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14 Troy L. Nunley
15 United States District Judge
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28 ¹ Although this document was filed on November 10, 2014, Plaintiff's proof of service indicates that the document was prepared and submitted on October 14, 2014. In either case, the filing is untimely.